

Message Text

CONFIDENTIAL

PAGE 01 CARACA 08931 190500Z

17 11
ACTION L-03

INFO OCT-01 ARA-16 ISO-00 SCA-01 JUSE-00 RSC-01 DRC-01

/023 W

----- 019215

R 172038Z OCT 73
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 1518

C O N F I D E N T I A L CARACAS 8931

E.O. 11652: GDS
TAGS: CGEN, BDIS, PINT, VE
SUBJECT: AVM CASE-LETTERS ROGATORY

REFERENCE: STATE 195475

SUMMARY: EMBASSY SEES TRANSMISSION OF LETTERS ROGATORY IN AVM CASE TO GOV BEFORE ELECTIONS AS ENTAILING SERIOUS RISK TO US POLICY OF NON-INVOLVEMENT IN ELECTION CAMPAIGN. UNLESS THERE ARE OVER-RIDING CONSIDERATIONS NOT PERCEIVED HERE, AND WITH ALL RESPECT TO THE DISTRICT, I SHALL THEREFORE NOT RPT NOT SUBMIT LETTERS UNTIL AFTER ELECTION DAY DECEMBER 9.
END SUMMARY.

1. EMBASSY HAS RECEIVED AND CAREFULLY REVIEWED LETTERS ROGATORY IN LIGHT OF CURRENT VENEZUELAN POLITICAL SITUATION. EMBASSY WISHES TO BE OF FULL ASSISTANCE TO AMERICAN FIRM AVM, BUT CONSIDERATION OF OUR BROADER INTERESTS HERE LEAVES US VERY RELUCTANT TO DELIVER LETTERS ROGATORY BEFORE DECEMBER 9 ELECTIONS, FOR FOLLOWING REASONS:

2. ALTHOUGH DETAILS OF ACCUSATIONS AGAINST TWO POLITICIANS (RUMBOS AND ESPINOZA) TO BE QUESTIONED HAVE LONG BEEN PUBLIC KNOWLEDGE HERE, NEW ELEMENT IS INTRODUCED BY QUESTIONS IMPLYING URD PRESIDENTIAL CANDIDATE JOVITO VILLALBA MAY HAVE BEEN OFFERED BRIBE. FURTHERMORE, QUESTIONING OF SUPREME ELECTORAL COUNCIL PRESIDENT PIETRI AT THIS DELICATE TIME COULD REOPEN PANDOR'S BOX OF CHARGES AND RECRIMINATIONS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 CARACA 08931 190500Z

BETWEEN AD AND COPEI AND AMONG MINOR PARTIES, TO DETRIMENT

OF NOW RELATIVELY CALM ELECTORAL CLIMATE, AND POSSIBLY TO PRESTIGE OF SUPREME ELECTORAL COUNCIL, WHICH HAS RECUPERATED WELL FROM VOTING MACHINES DEBACLE AND IS NOW ORGANIZING ELECTORAL MACHINERY IN APPARENTLY EXEMPLARY FASHION.

3. EMBASSY FEARS THAT PARTS OF LETTERS ROGATORY COULD BE LEAKED TO PRESS BY A POLITICALLY-MOTIVATED PERSON IN FOREIGN MINISTRY, OR DETAILS OF LETTERS COULD BECOME PUBLIC KNOWLEDGE DURING JUDICIAL PROCEEDINGS HERE. IN SUCH CASE EMBASSY WOULD OF COURSE MAINTAIN THAT LETTERS IN NO WAY REFLECT ATTITUDE OR JUDGMENT OF DEPARTMENT, EMBASSY, OR U.S. DISTRICT COURT, BUT ARE MERELY QUESTIONS POSED BY PRIVATE COMPANY IN ITS OWN DEFENSE IN CIVIL SUIT. SUCH EXPLANATION WOULD, WE FEAR, LARGELY BE LOST IN FLOOD OF SENSATIONAL NEWS STORIES WHICH WOULD PAINT USG (AND PARTICULARLY EMBASSY FOR HAVING DELIVERED LETTERS ROGATORY) AS INTERVENING IN ELECTION CAMPAIGN. OUTCRY FROM NATIONALISTIC CANDIDATE VILLALBA WOULD BE PARTICULARLY STRONG.

4. FACT THAT LETTERS ROGATORY HAVE BEEN SENT TO U.S. BY VENEZUELAN COURT CONDUCTING ITS OWN INVESTIGATION WOULD NOT IN OUR VIEW DISSIPATE MISCHIEF THAT COULD BE CAUSED BY EMBASSY HANDING OVER LETTERS ROGATORY. KEY FACTOR TO KEEP IN MIND IS THAT EMBASSY, BY TRANSMITTING LETTERS, WHICH WOULD BE CONSIDERED HERE AS HIGHLY-CHARGED POLITICAL DOCUMENT, WOULD BE OPEN TO ALLEGATIONS (HOWEVER UNJUSTIFIED) OF INTERVENTION IN ELECTION CAMPAIGN, IF CONTENT OF LETTERS BECAME PUBLIC KNOWLEDGE. BECAUSE OF NEARNESS TO ELECTIONS, THIS CONSIDERATION HOLDS TRUE EVEN MORE NOW THAN IN MARCH 1973, WHEN DEPARTMENT CONCURRED THAT SEPARATE LETTERS ROGATORY CONCERNING AVM SHOULD NOT BE TRANSMITTED TO GOV (CARACAS 2515, STATE 062876). AS DEPARTMENT IS AWARE, NON-INVOLVEMENT OF EMBASSY IN CAMPAIGN HAS BEEN ONE OF PRIMARY POLICY GOALS HERE FOR PAST TWO YEARS, AS ENUNCIATED IN CASP AND LAID DOWN BY THE AMBASSADOR. FINALLY, STRONG ADMONITION OF POWERFUL PRESIDENTIAL ASSISTANT LUIS ALBERTO MACHADO THAT EMBASSY SHOULD NOT BECOME INVOLVED IN VOTING MACHINES CASE SHOULD BE BORNE IN MIND (CARACAS 4211). THEREFORE, UNLESS THERE ARE OVER-RIDING CONSIDERATIONS NOT PERCEIVED HERE, AND WITH ALL DUE RESPECT TO THE DISTRICT

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 CARACA 08931 190500Z

COURT, I SHALL NOT SUBMIT LETTERS UNTIL AFTER ELECTION DAY DECEMBER 9.
MCCLINTOCK

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 17 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973CARACA08931
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS MCCLINTOCK
Errors: N/A
Film Number: n/a
From: CARACAS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731027/aaaaatxp.tel
Line Count: 110
Locator: TEXT ON-LINE
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: STATE 195475
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 31 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31-Jan-2002 by martinjw>; APPROVED <14 FEB 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: AVM CASE-LETTERS ROGATORY
TAGS: CGEN, BDIS, PINT, VE
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005